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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,652	04/13/2004	Jee-su Park	116511-00126	3095

27557 7590 11/15/2006

BLANK ROME LLP  
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WASHINGTON, DC 20037

EXAMINER

SNIDER, THERESA T

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/822,652		PARK ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Theresa T. Snider		1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____                                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: ____                           |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date : 11/4, 12/30/2004, 6/3, 6/22/2005 & 1/19, 8/23/2006.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Objections***

2. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 2 defines a function of use rather than a further structural limitation of the disinfecting section.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1 and 3 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Taylor et al..

Taylor et al. discloses a body automatically traveling on a surface (fig. 1A, #100).

Taylor et al. discloses a driving unit for driving a plurality of wheels (fig. 1A, #124,126).

Taylor et al. discloses at least one obstacle-detecting sensor positioned to a front of the body (0060,0074).

Taylor et al. discloses a memory (0082,0084).

Taylor et al. discloses a dust vacuuming and collecting section (0075).

Taylor et al. discloses a disinfecting section (0034).

Taylor et al. discloses a control section (0123).

With respect to claim 3, Taylor et al. discloses the disinfecting section including a disinfecting lamp, a receptacle chamber and a transparent window (0034,0035,0037).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

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claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bancroft in view of Kurz.

Bancroft discloses a similar robot cleaner however fails to disclose a disinfecting unit.

Bancroft discloses a body automatically traveling on a surface (fig. 2, #10).

Bancroft discloses a driving unit for driving a plurality of wheels (fig. 1, #20-23).

Bancroft discloses at least one obstacle-detecting sensor positioned to a front of the body (col. 2, line 50).

Bancroft discloses a memory (fig. 1, #36).

Bancroft discloses a dust vacuuming and collecting section (fig. 1, #18).

Kurz discloses a cleaner having a disinfecting section (fig. 1, #16). It would have been obvious to one of ordinary skill in the art to provide the disinfecting section of Kurz in Bancroft to allow for automatic removal of biological contaminations.

Bancroft discloses a control section (fig. 1, #34).

With respect to claim 2, it would have been obvious to one of ordinary skill in the art to determine the most appropriate time to operate the disinfecting section in Bancroft in view of Kurz to allow for the most effective treatment of the desired surface.

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With respect to claim 3, Kurz discloses the disinfecting section including a disinfecting lamp, a receptacle chamber and a transparent window (col. 3, lines 44-52).

With respect to claims 4-7, it would have been obvious to one of ordinary skill in the art to determine the most appropriate location of the disinfection section in Bancroft in view of Kurz to allow for the most effective of the desired surface.

9. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bancroft in view of Kurz as applied to claim 1 above, and further in view of The Admitted State of the Prior Art as set forth on page 1, line 21-page 2, line 4(hereafter ASPA).

Bancroft in view of Kurz discloses a similar robot cleaner however fails to disclose the driving unit having both driving wheels and driven wheels.

Bancroft discloses the driving unit including a pair of motors installed in the body (fig. 1, #21,23) and a pair of driving wheels (fig. 1, #20,22). ASPA discloses a robot cleaner having a driving unit further including driven wheels and a timing belt as a transmission for driving the wheels (fig. 1). It would have been obvious to one of ordinary skill in the art to provide the driven wheels and belt of ASPA in Bancroft in view of Kurz to allow for the most effective movement of the cleaner over a surface.

### ***Conclusion***

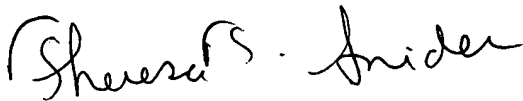
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Field et al., Buckey, Cuddeback, and Guyer disclose a cleaner with a disinfecting section.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Friday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Theresa T. Snider  
Primary Examiner  
Art Unit 1744

11/6/06